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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

DENNIS GEORGE DeHATE,

Defendant.

Case:2:15-cr-20037
Judge: Cox, Sean F.
MJ: Grand, David R.
Filed: 01-27-2015 At 04:37 PM
IND. USA V. DEHATE (SO)

VIO: 18 U.S.C. §§ 2251(a)
18 U.S.C. § 2255A(a)(2)
18 U.S.C. § 1470

INDICTMENT

THE GRAND JURY CHARGES:

COUNT ONE

18 U.S.C. §§ 2251(a)
Production of Child Pornography

On or about and between July 1, 2014, through on or about August 31, 2014, both dates being approximate and inclusive, within the Eastern District of Michigan and elsewhere, the defendant, DENNIS GEORGE DeHATE, did knowingly employ, use, persuade, induce, entice and coerce any minor, specifically, MV-1, born in 2000, to engage in sexually explicit conduct for the purpose of producing any visual

depiction of such conduct, using materials that have been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer, and such visual depictions were actually transported using the Internet, a means and facility of interstate or foreign commerce in violation of Title 18, United States Code, Section 2251(a).

COUNT TWO

18 U.S.C. § 2252A(a)(2)
Receipt of Child Pornography

On or about and between July 1, 2014, through on or about August 31, 2014, both dates being approximate and inclusive, within the Eastern District of Michigan and elsewhere, the defendant, DENNIS GEORGE DeHATE, did knowingly receive child pornography, that is, that is, visual depictions of sexually explicit conduct, including, but not limited to, the lascivious exhibition of the genitals or pubic area as defined in 18 U.S.C. § 2256(8)(A); and the images received by the defendant were mailed, shipped, and transported using the Internet, a means and facility of interstate or foreign commerce, and were mailed, shipped, and transported in or affecting interstate or foreign commerce by any means, including by computer, in violation of Title 18, United States Code, Section 2252A(a)(2).

COUNT THREE

18 U.S.C. § 1470

Transfer of Obscene Material to a Minor

On or about and between, July 1, 2014, through on or about August 31, 2014, both dates being approximate and inclusive, within the Eastern District of Michigan and elsewhere, the defendant, DENNIS GEORGE DeHATE, did knowingly and unlawfully use any facility and means of interstate and foreign commerce to knowingly transfer obscene matter consisting of lewd, lascivious, indecent and filthy pictures to an individual who the defendant believed to be under the age of sixteen, specifically MV-1, born in 2000, knowing that MV-1 had not attained the age of sixteen, in violation of Title 18, United States Code, Section 1470.

FORFEITURE ALLEGATIONS

18 U.S.C. §2253; 28 U.S.C. § 2461(c)
Criminal Forfeiture

The allegations contained in Counts One through Three of this Indictment are hereby re-alleged and incorporated by reference for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 2253, and Title 28 United States Code, Section 2461(c).

Upon conviction of one or more of the offenses charged in Counts One through Three of the Indictment, defendant DENNIS GEORGE DeHATE shall, pursuant to Title 18, United States Code, Section 2253, forfeit to the United States the following:

- a) Any visual depiction described in Title 18, United States Code, Sections 2251, 2251A, or 2252, 2252A, 2252B, or 2260, or any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped, or received in violation of these subsections;
- b) Any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from such offense; and
- c) Any property, real or personal, used or intended to be used to commit or to promote the commission of such offense or any property traceable to such property.

If any of the property subject to forfeiture pursuant to Title 18, United States Code, Section 2253, and Title 28 United States Code, Section 2461(c), as a result of any act or omission of the defendant--

- a) cannot be located upon the exercise of due diligence;
- b) has been transferred to, sold to, or deposited with a third party;
- c) has been placed beyond the jurisdiction of this Court;
- d) has been substantially diminished in value; or
- e) has been commingled with other property which cannot be divided without difficulty;

the United States of America intends to seek forfeiture of all other property of the defendant up to the value of forfeiture applicable in this case.

THIS IS A TRUE BILL.

s/ Grand Jury Foreperson
Grand Jury Foreperson

BARBARA L. MCQUADE
UNITED STATES ATTORNEY

s/ Kevin Mulcahy
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Dated: January 27, 2015

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United States District Court
 Eastern District of Michigan

Criminal Case Cov

NOTE: It is the responsibility of the Assistant U.S. Attorney signing this form to complete it accurately in all respects.

Reassignment/Recusal Information This matter was opened in the USAO prior to August 15, 2008 []

Companion Case Information	Companion Case Number:
This may be a companion case based upon LCrR 57.10 (b)(4) ¹ :	Judge Assigned:
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	AUSA's Initials:

Case Title: USA v. D-1 DENNIS GEORGE DeHATE

County where offense occurred : Macomb

Check One: ☒ **Felony** ☐ **Misdemeanor** ☐ **Petty**

___ Indictment/___ Information --- no prior complaint.
☒ Indictment/___ Information --- based upon prior complaint [Case number:] 15-mj-30003
 ___ Indictment/___ Information --- based upon LCrR 57.10 (d) [Complete Superseding section below].

Superseding Case Information

Superseding to Case No: _____ **Judge:** _____

- ☐ Original case was terminated; no additional charges or defendants.
☐ Corrects errors; no additional charges or defendants.
☐ Involves, for plea purposes, different charges or adds counts.
☐ Embraces same subject matter but adds the additional defendants or charges below:

<u>Defendant name</u>	<u>Charges</u>	<u>Prior Complaint (if applicable)</u>
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Please take notice that the below listed Assistant United States Attorney is the attorney of record for the above captioned case.

January 27, 2015

Date


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¹ Companion cases are matters in which it appears that (1) substantially similar evidence will be offered at trial, (2) the same or related parties are present, and the cases arise out of the same transaction or occurrence. Cases may be companion cases even though one of them may have already been terminated.